

EXHIBIT 1

SUPPLEMENTAL REPORT

Agency: SCSD

OCA 071022036

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Investigator: Dulworth, Joe 1101116

Date / Time: 10/26/2007 12:25:48

Friday

Contact:

Reference: FOLLOW UP

Note: This report is not a complete overview of this case. Due to time constraints this report is for preliminary hearing purposes only.

Violent Crimes Investigations Unit Supplemental Report
Sonoma County Sheriff's Department Case Number 071022-036
Detective Joe Dulworth/D3

Incident Summary

On 10/22/07 at approximately 1848 hours, deputies from the Sonoma County Sheriff's Department Valley Substation were dispatched to a report of "Shots Fired" at Maxwell Farms Regional Park located at 100 Verano Avenue.

Upon arrival deputies contacted a large group of approximately 20 to 30 male and females in the Maxwell Park Group Picnic area located on the southeast side of the park. Numerous members of the large group appeared panicked, were screaming profanities and crying hysterically.

Several members of the group were standing around a wooden picnic table on the eastern edge of the picnic area. Deputies observed the body of an unresponsive Hispanic male lying on top of the wooden picnic table. The unresponsive Hispanic male was bleeding from traumatic injuries he suffered to his head. The Hispanic male was later identified as Luis Roberto Miranda. (Victim)

Deputies attempted to determine how Miranda was injured. While contacting several witnesses to this incident, witnesses reported a suspect by the name of "Puppet" had confronted the group in the picnic area with a shotgun. Witnesses reported "Puppet" fired the shotgun several times towards Miranda. Witnesses reported that Miranda was struck in the face with gun fire. Witnesses reported "Puppet" ran away from the picnic area in a southbound direction after firing the gunshot.

The victim was later pronounced dead by Sonoma Valley Fire Personnel.

Notification

On 10/22/07, at approximately 1900 hours, I overheard numerous patrol units being dispatched to a gunshot victim at Maxwell Park, Sonoma. As I continued to monitor the traffic updated details were broadcast. The victim was reported to be "down" with possible injuries to his facial area. A short time later I overheard units advising the subject was possibly deceased and numerous individuals were in the general area of the incident. A short time later I learned the subject was confirmed deceased and I was later assigned as the primary VCI case agent detective.

Crime Scene

The Maxwell Farms Regional Park is located at 100 Verano Avenue in Sonoma. The regional park is open daily from sunrise to sunset. Maxwell Farms Regional Park is approximately 85 acres in size and the following major

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thoroughfares borders the park: Verano Avenue borders the west side of the park. Highway 12 borders the north side of the park, Ramon Street borders the east side of the park, and Riverside Drive borders the south side of the park..

Maxwell Farms Regional Park contains the following recreational areas inside the park: Skate Park, Tennis Courts, Soccer Fields, Little League Baseball Fields, Hiking Trails, Group Picnic Area, and the Valley of the Moon Boys & Girls Club. The interior of the park also contains a large natural resource area that has several hiking trails which travel in various directions. Bay Tree Trail travels in an east/west direction. Back Meadow Trail travels in a north/south direction, Three Meadow Trail travels in an east/west direction.

The crime scene was located on the southeast side of Maxwell Park in the group picnic area. The picnic area is located approximately 75 yards west from the Boys & Girls Club.

An inner crime scene perimeter had been established around the picnic area where the shooting had occurred. The crime scene perimeter was clearly marked and bordered with yellow crime scene tape. I contacted Deputy Lucchetti who was maintaining crime security at the picnic area. Deputy Lucchetti quickly briefed me on the current status of the crime scene and he told me numerous witnesses to this incident were standing together. It appeared the witnesses were the same group of teenagers and young adults I visually observed while I was traveling to the crime scene. After speaking with Deputy Lucchetti, I contacted Sheriff's Intern Daniel Long and I asked him if he would start establishing an outer crime scene perimeter to the north, east, and west sides of the picnic area. I also asked Intern Long if he would attempt to contact a representative from the Sonoma Valley Boys & Girls Club and determine if we could gain access to the interior of the club to stage and interview witnesses.

Crime Scene Walk Through

VCI Detective Al Vernon provided the following information regarding the walk through of the crime scene:

The Maxwell Park Picnic area contains approximately eleven wooden picnic tables, several garbage and recycling receptacles and a large metal barbeque grill which sits on a large cement slab. The victim's body was lying on top of a wooden picnic table on the east side of the picnic area. While walking towards Miranda's body, Detective Vernon observed several bloody boot impressions on the cement slab. Detective Vernon also saw numerous empty beer bottles, beer cans and paper trash lying on ground within the picnic area.

Victim Luis Miranda's body was lying in a supine position on top of the picnic table. Miranda's body was covered with a white cotton sheet. Miranda's body had been placed on top of medical backboard by EMS personnel from Sonoma Valley Fire Rescue. Miranda's head was facing in an eastbound direction. Miranda was wearing the following clothing: Grey sweat shirt, black Dickies jeans, black Nike tennis shoes, white sport socks.

Detective Vernon observed a large puddle of pooled blood on the cement slab beneath Miranda's head. The blood appeared to have come from the traumatic injuries Miranda suffered to his head and face. Detective Vernon visually inspected Miranda body for visible signs of injuries. While viewing Miranda's body, Detective Vernon observed the following traumatic injuries:

Miranda's entire face and a portion of his head were covered with dried blood. Miranda had what appeared to be

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several visible gunshot entry wounds about his face and head. The entry wounds were circular in shape. The wounds were located on Miranda's right chin below the lip, left lower chin, right middle cheek, middle of the forehead, left earlobe, and above the left eye lid.

Detective Vernon visually examined Miranda's lower torso and saw no visible signs of gun shot wounds on his lower torso. Detective Vernon exited the crime scene with Detective Holton after they completed the examination of Miranda's body.

Follow Up Investigation

Lt. O'Leary (Acting VCI Sgt.) advised me to contact detectives from the property crimes unit (PCI) and domestic violence and sexual assault (DVSA) unit. All available detectives were requested to respond to the main office for a briefing on the incident.

At approximately 1930 hours I was monitoring the radio traffic from units which were on scene. The radio traffic indicated there were numerous witnesses, described as 20-30, around the crime scene. The units indicated they needed additional personnel to assist in keeping both the inner and outer perimeter secure. There were patrol units stationed around the outer perimeter of Maxwell Park, in an attempt to apprehend any possible suspect(s).

Deputy Keen & Deputy Lucchetti

Deputy Keen and Deputy Lucchetti initially responded to a report of gunshots being fired, (10-57s) inside Maxwell Park near the Boy's and Girl's Club. Prior to their arrival dispatch advised them the victim had been shot in the face. Medical personnel were contacted and advised to stage in the area until the scene was secure.

Deputy Keen and Deputy Lucchetti responded to the area code 3 (Lights and siren) and entered the park from Sonoma Highway through the Sonoma Skate Park. Deputy Keen drove along Maxwell Park's south walkway and behind the park restrooms.

Deputy Keen and Deputy Lucchetti arrived on scene at approximately 1848 hours. Deputy Keen and Deputy Lucchetti were doubled up in a single car. The two deputies observed approximately 20 to 30 subjects, who appeared to be extremely agitated, running around the area of several picnic tables located south of the Boy's and Girl's Club. The Boy's and Girl's Club is located inside Maxwell Park at 100 Verano Avenue, El Verano, in the unincorporated area of Sonoma County.

When Deputy Lucchetti and Deputy Keen arrived at the south side of the Boy's and Girl's Club, Deputy Lucchetti saw approximately 20-30 individuals near the picnic tables. The individuals were waving their arms and yelling, "He's over here, he needs help, you guys need to catch them."

Deputy Keen described the 20-30 individuals as both male and females in their late teens to early twenties. The subjects were yelling out things as Deputy Keen approached. Although Deputy Keen could not identify which individual yelled what statement. Some of the statements he heard included "Help my friend!" "Those mother fuckers shot him!" and "Please do something!" Several individuals were standing around the general area crying

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hysterically.

Deputy Keen noticed the victim, later identified as Luis Roberto Miranda, lying on his back. The victim was on a picnic table. Deputy Keen did not notice any movement from the victim. The picnic table the victim was lying on was located on the east edge of the several tables present in that area.

Deputy Lucchetti exited the patrol car and ran over to the victim. As Deputy Lucchetti approached the victim, he noticed the victim's face was covered with blood and he had injuries to his facial area. Deputy Lucchetti checked for signs of life and believed the victim was not breathing. Deputy Lucchetti noticed a large amount of blood pooling on the ground beneath the victim's head. The victim's shirt was covered with blood. Deputy Lucchetti continued to try and talk with the victim until medical personnel arrived.

Deputy Lucchetti asked the crowd who shot the victim. One unidentified male subject stated, "It was Puppet, there were two Hispanic guys. The shooter was wearing a bandanna over his face." Deputy Keen later updated dispatch, via radio, with this information.

Deputy Keen contacted possible Witness Ashley Johnson. Johnson immediately stated "Puppet did it." Deputy Keen was aware Juan Carlos Perez Garcia is known by the street name or moniker "Puppet." Deputy Keen asked Johnson if she was referring to Juan Carlos and she indicated that she was referring to him.

Johnson told Deputy Keen "Puppet" approached the area of the picnic tables from the southwest through the creek area located west of the picnic tables. "Puppet" stopped short of the picnic tables and began shooting towards the crowd. After he stopped shooting, "Puppet" retreated southwest into the area of the creek, located inside Maxwell Park. Johnson did not know where "Puppet" went after she lost sight of him near the creek.

Deputy Keen asked Johnson if she personally witnessed "Puppet" shooting. Johnson saw "Puppet" in the area approximately 30 minutes earlier "causing problems." Johnson told Deputy Keen the suspect was wearing a bandana over his face and she did not know if it was Garcia or not.

Deputy Keen then contacted witness Cory Hermosillo. Hermosillo appeared upset and did not provide specific information. Hermosillo kept repeating, "It was fuckin' Puppet. Why don't you do something?"

Several unidentified subjects approached Deputy Keen, telling various renditions of what occurred. Several subjects stated a shotgun was the weapon used. One unknown subject told Deputy Keen, "It was a handgun, and definitely not a revolver."

Deputy Keen updated Sheriff's dispatch, via radio, with the information he was told up to this point. Deputy Keen recalled a possible suspect vehicle for Juan Perez. The vehicle was described as a Silver Chrysler 300 Sedan, California License 5ULS922. I later confirmed this vehicle was presently located a G&C Auto Body located at 251 Bellevue Avenue, Santa Rosa.

Deputy Keen learned the victim was pronounced deceased at 1902 hours by Sonoma County Fire Personnel. Deputy Keen provided Sheriff's Dispatch with this information as well.

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Deputy Lucchetti directed everyone standing near the victim to move away and to walk towards the east side of the picnic table area. Deputy Lucchetti asked them to remain in the area to provide statements regarding the incident they just witnessed. Deputy Lucchetti assisted fire personnel by keeping the crowd away from the location of the victim. People within the crowd continued to cry, scream, and yell.

Deputy Lucchetti learned from Sonoma Valley Emergency Medical Technician (EMT) Jack Ayers that the victim was deceased at 1902 hours. Ayers covered the victim's body with a blanket. Ayers provided Deputy Lucchetti with yellow caution tape to string around the outside of the crime scene to protect it for evidence processing. Deputy Lucchetti remained inside the inner crime scene and began a major incident log. After Violent Crime Investigations (VCI) Detectives arrived VCI Intern Daniel Long arrived also. Daniel Long remained just outside of the inner crime scene and established an outer perimeter around the inner perimeter. Intern Long monitored persons both entering and exiting the outer crime scene.

Deputy Keen noticed three purple expended shotgun shells near the area where Johnson described the shooter standing. Deputy Keen later notified Crime Scene Investigations (CSI) Detective Holton of the location of the shotgun shells. Deputy Keen expanded the inner perimeter of the crime scene to include the area where the shooter was standing.

Deputy Keen assisted Deputy Lucchetti and Deputy Craver with contacting witnesses. Many of the witnesses did not respond to numerous requests by the deputies to leave the immediate area of the inner perimeter. Many of the witnesses remained in the area and were contacted by additional deputies and detectives.

Sonoma County Sheriff's Department Helicopter Henry One arrived and immediately checked the surrounding area for any possible suspects. Henry One did not locate any suspects.

Deputy Keen turned the crime scene over to responding detectives.

At approximately 1923 hours, Petaluma Police K9 Officer Page arrived at Maxwell Park. Officer Page, Deputy James, and Deputy Keen conducted a search of the area south of the crime scene for any possible suspects. No suspects were located during the search.

At approximately 2025 hours, Deputy Lucchetti observed a Hispanic female walking through the Maxwell Park playground, located just east of the crime scene location. The female walked under the crime scene tape towards the decedent. Deputy Lucchetti ran over to the female and gave verbal commands to stop in English and Spanish. The female refused to follow Deputy Lucchetti's verbal commands. The female was arrested for a violation of 148(a)(1) PC Resist, Delay, Obstruct a Peace Officer. (Refer to case number 071022-037.)

Based on the information being relayed by units already at Maxwell Park, the determination was made that responding detectives should respond directly to Maxwell Park to assist in investigating this incident. At approximately 2000 hours, I left from the main office enroute to Maxwell Park. While enroute I heard a portable radio distress signal activate. Based on the number of units involved and the fact the scene was still not secure, it appeared this was an ongoing evolving emergency situation.

I activated the emergency lights and siren of my unmarked detective vehicle and responded to Maxwell Park "code

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3". Just prior to my arrival I heard Detective Vernon advise the units inside the park, near the location of the victim, that he did not need any additional assistance from the patrol units. I deactivated my emergency lights and siren. Upon arrival I contacted Detective Vernon near the Boy's and Girl's Club front entrance. Detective Vernon told me the following in essence:

The victim, later identified as Luis Miranda, had been pronounced deceased by medical personnel. The victim was also known by the street moniker "Solider". The victim appeared to have been struck in the face with an unknown number of projectiles from a firearm. The victim was left lying on top of a picnic table located on the south side of the Boy's and Girl's Club inside Maxwell Park. The victim was lying supine on his back with what appeared to be multiple facial gunshot injuries.

Intern Long made contact with a representative from the Boy's and Girl's Club. The representative agreed to allow the employees of the Sheriff's Department the use of the interior of the facility to conduct interviews with witnesses to the homicide.

Detective Vernon advised me a number of people were arrested when they attempted to gain access to the victim's body after being given lawful verbal orders to stay out of the crime scene.

The following persons were arrested for a violation of 148(a)(1) PC Obstruct/Resist/ Delay a Peace Officer. Case #071022-037

- 1.Cesar Alberto Ake
- 2.Ake, Johnny (Age 15)
- 3.Lopez, Karen

Deputy Craver

Deputy Jason Craver arrived at Maxwell Park at approximately 1850 hours. Deputy Craver identified the following persons who stated they were present at the time of the shooting:

- 1.Lowe, Raiisa
- 2.Swanton, Michael
- 3.Martinez, Tara
- 4.Bridgman, Ashley
- 5.Johnson, Jamie
- 6.Simmons, Courtney
- 7.Hermosillo, Cory
- 8.Deltessandro, Dustin
- 9.Hernandez, Johann Xavier
- 10.Mckinnon, Troy
- 11.Phillips, Sean Anthony
- 12.Broderick, Julia
- 13.Larkin, Mariah
- 14.Jackson, Melissa

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15.Hernandez, Adan Anthony

16.Cisneros, Mario

Deputy Craver believed detectives from the Sheriff's Department were able to contact and interview all of the aforementioned witnesses. Deputy Craver Remained on scene until approximately 2400 hours.

The following detectives interviewed witnesses at the Boy's and Girl's Club in the Town of Sonoma.

Deputy Brad James

On 10/22/07, at approximately 2026 hours, Deputy James was assigned to crime scene security at Maxwell Park, Sonoma. Deputy James observed a male and female adult within a secured area. Deputy James later identified the male as Cesar Ake and the female as Karen Lopez. Deputy James was aware the two subjects would have already crossed through a crime scene barrier tape. Deputy James ordered Cesar and Lopez to stop as he approached them. Cesar and Lopez yelled something back that Deputy James could not understand. Deputy James rushed over to stop the Lopez and Cesar said, "That's our friend down there." Deputy James ordered Cesar to leave the area and he refused while repeating the same statement. Deputy James placed his hand on Cesar's left shoulder in an attempt to move him back in the opposite direction. Cesar stiffened up and refused to move.

When Deputy James attempted to place Cesar's right hand in a wrist lock, Cesar pulled away and resisted. Deputy James took Cesar to the ground. With Detective Ingram's assistance, Deputy James placed Cesar under arrest for a violation of 148(a)(1) PC.

Deputy Keen arrested Lopez for refusing to leave the crime scene after giving her several loud verbal orders to exit the crime scene. Lopez was arrested for a violation of 148(a)(1) PC.

Lopez and Cesar were later transported to the Sonoma County Jail and booked for the aforementioned charges.

While Cesar and Lopez were being arrested, a male juvenile subject attempted to come to their aid. Deputy Lucchetti later identified the male juvenile as Johnny Ake. Ake was ordered to leave the crime scene and he refused. Johnny was arrested for a violation of 148(a)(1) PC and later released after signing a citation.

Property Crime Investigations Detective Naugle

Swanton, Michael Ryan

Detective Naugle interviewed Swanton, Michael Ryan. Swanton had dried blood on his hands and arms. Swanton told Detective Naugle he was "hanging out" at the benches in Maxwell Park like they always do. Swanton knew the victim as "Soldier." Swanton believed "Puppet" was responsible for the shooting. Swanton described "Puppet" as the oldest and "like the ring leader." Detective Naugle asked Swanton if he "claimed" and Swanton said, "Norteno, and so does Soldier."

Swanton told Detective Naugle he did not witness the shooting but heard three gunshots and everyone started to run. Swanton described the shots as rapid in succession. As Swanson was running away, he looked back and saw the

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shooter.

Swanton described the shooter as a young Latino male with a white bandana covering the bottom half of his face. Swanton heard "through the chain of command" that Soldier had been hit and they all stopped and went back to him. Swanton observed Soldier was slumped over in the bench and was bleeding from his head. Swanton and "Cory" picked the victim up and put him on the table.

Swanton told Detective Naugle Puppet's friends are known to have firearms and have pulled guns on people on prior occasions. Swanton specifically has seen "Puppet" threaten people with a handgun. Swanton said on one occasion, less than a year ago, "Puppet" drove by his house and threatened him with a gun.

Swanton believed "Puppet" and his guys jumped Soldier approximately two weeks ago. Swanton believed "Soldier" and "Puppet" had an ongoing problem from the past. Swanton believed "Puppet" has problems with everyone.

Del Tessandro, Dustin Shane

Detective Naugle next interviewed Del Tessandro, Dustin Shane at the same location. Del Tessandro told Detective Naugle the following in essence: Del Tessandro was standing near "Soldier" during the incident. Del Tessandro heard it was "Puppet and his crew" that shot "Soldier" because he saw them earlier in the evening. Del Tessandro observed "Puppet" and two other subjects in "Puppet's vehicle" approximately 90 to 120 minutes prior to "Soldier" getting shot. Del Tessandro believed "Puppet" and other Surrenos had a "beef" with "Soldier." Del Tessandro believed there had been prior fights between the two.

Del Tessandro was standing approximately two feet from "Soldier" when the shooting occurred. Del Tessandro heard three loud sounds he described as "bam, bam, bam" and at first believed it was firecrackers. Del Tessandro turned around and saw, "the guy with the shotgun." Del Tessandro observed the suspect holding the shotgun at his waist. The suspect's face was covered with a white bandana. Del Tessandro turned and saw "Soldier" fall. Del Tessandro saw blood gushing out of "Soldier's" head so they ran. Del Tessandro said they returned a short time later after the shooter fled.

Del Tessandro described the shooter as a Hispanic male, 5'8", skinny, wearing blue jeans and a white T-shirt. Del Tessandro thought the suspect was possibly wearing a beanie. Del Tessandro indicated his description was from, "a glance" at the suspect.

Del Tessandro added he heard a subject who goes by the moniker "Civic" was affiliated with "Puppet" and had a "car full of people" earlier in the night.

Martinez, Tara Joe

Detective Naugle next interviewed Tara Martinez at the same location. Martinez told Detective Naugle the following in essence: Martinez was standing approximately 15 feet from where "Soldier" was standing. Martinez saw the suspect just prior to the shooting, standing near the bridge. Martinez originally believed the suspect was one of the guys in her group, "taking a piss or something."

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Martinez looked back towards "Soldier" who was with "Yohan" and "Cory." Martinez heard three gun shots and first believed they were firecrackers, until she saw "Soldier" get shot in the head. Martinez saw the suspect run away the same way he came in.

Martinez described the shooter as young Hispanic male, 5'05", very skinny, approximately 17 years old. The suspect was wearing a dark sweater over a white T-shirt. The suspect was wearing baggie grey shorts with white socks pulled up to his knees. The suspect was wearing white shoes, possibly Cortez. Martinez said she got a glimpse of his face and he looked young with a shaved head. The suspect was holding a long gun with both hands at his waist. Martinez described the "long gun" as "pretty long."

Property Crimes Investigations Sergeant Lawrence

Mariah Larkin

Larkin told Sgt. Lawrence the following in essence: Larkin was at Maxwell Park hanging out with friends. Larkin arrived with her friend "Sable", but "Sable" left prior to the shooting. Larkin identified the victim as "Soldier" and said she knew him for approximately six years. Larkin and the 15 to 20 other persons present were all hanging out by the picnic tables before the shooting.

Larkin saw a male subject walking toward them from the wooded area just south of where they were sitting. Larkin described the suspect as wearing all black with a white bandana over his face and a black hood over his head. Larkin could only see the suspect's eyes. Larkin was not alarmed and first believed it was one of their friends joking around. Larkin then heard a shot from the area where the suspect approached. Larkin looked at the suspect and saw him fire a second shot, followed by a third shot.

Larkin described the gun as a long black barreled gun. The suspect was holding the gun with two hands as you would with a shotgun or rifle. The suspect was holding the gun about mid level to his body. Larkin felt the first shot was fired up in the air, but did not see the suspect fire that shot. Larkin saw the suspect fire the second shot at an upward angle and then lower the gun barrel parallel to the ground. The suspect fired a third shot into the crowd where "Soldier" was sitting.

Larkin saw "Soldier's" phone fly out of his hand and "Soldier's" head fell back against the table where he was seated. Larkin saw the suspect lower the gun to his side, holding it in one hand, and ran back into the wooded area south of the picnic tables. Larkin was able to demonstrate how the suspect was holding the gun, but could not remember which hand was in front of the other. Larkin observed "Corey", "Mike" and a couple of other people as they picked "Soldier" up and put him on the top of a picnic table.

Mariah felt the suspect was someone she knew. Larkin described him as short, approximately 5'05, thin, with a round head. Larkin believes his street name is "Civic" and he lives somewhere nearby. Larkin believed "Civic" hangs around with another Sureno named "Puppet." Larkin did not believe the suspect shooter was "Puppet" because she did not feel he matched the description of the person she saw. Larkin described "Puppet's" vehicle as a silver Chrysler with chrome rims and tinted windows. Larkin said "Puppet" has brandished weapons at her friends in the past and she has witnessed it.

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Larkin did not believe "Soldier" is a gang member. Larkin described Soldier as a person who hangs around with and associates with Norteno gang members.

Melissa Ann Jackson

Jackson told Sgt. Lawrence the following in essence: Jackson arrived at the park at approximately 1730-1800 hours. Jackson was hanging around with friends at a picnic table, with the victim. (Soldier) Jackson was sitting on one of the picnic tables and observed the suspect come out of the wooded area just south of where they were all hanging out. The suspect appeared to pause for a few moments at the edge of the woods before walking up to the garbage can area a few feet away from them. Jackson saw the suspect had a gun in his hands.

Jackson described the gun as black with a long barrel. The suspect was holding the gun with both hands at about his mid section. Jackson turned away from the suspect and then heard the first gunshot. Jackson began running towards the bathrooms and heard someone yell, "Soldier got shot!" Melissa came back to the picnic table area and there was a crowd of people around "Soldier." "Corey", "Mike", and a couple other people were holding "Soldier" up. Jackson believes the suspect was approximately three feet away from the victim when he fired the first shot.

Jackson has known the victim for approximately one year and she used to date a friend of "Soldier." Jackson does not believe "Soldier" is a gang member, but does hang around with gang members who claim red (Norteno).

Jackson said "everyone is saying it was "Civic" that shot Soldier." Jackson knows both "Puppet" and "Civic" and their physical appearance of the suspect she saw did not look like "Puppet." Jackson said the suspect who shot "Soldier" was short and thin like "Civic." The suspect was wearing all black clothing and had something white around his face.

Chelsea Morris

Morris told Sgt. Lawrence the following in essence: Morris did not witness the shooting but was there just prior to the shooting and saw the possible suspects in a vehicle in Maxwell Park. Morris was in the park for approximately 45 minutes with her friend Jessica McDonagh. Both herself and McDonagh were hanging around with the group at the picnic tables. "Soldier" was sitting on the benches with them. They left after approximately 45 minutes and walked up towards the parking lot to the crosswalk that crosses over the driveway of the entrance to the park.

The both saw a silver compact car occupied by four people. Morris did not see their faces but they were making barking noises and other noises that made her feel the occupants were Sureno gang members. Morris and McDonagh continued walking to the McDonalds parking lot where they waited for Morris's father to pick them up. While waiting, after three to five minutes, they heard two or three boom sounds.

Approximately ten minutes later they arrived home and McDonagh received a telephone call from Jessica. Jessica told McDonagh she received a call from Mariah and others who told her Soldier was dead and was shot in the head three times.

Ashley Johnson

Johnson told Sgt. Lawrence the following in essence: Johnson entered the park on foot shortly after 1800 hours.

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Johnson was there to meet her boyfriend, Mario Cisneros. Johnson was planning on hanging out with their friends like they always do at the park. Johnson entered the park from Verano Avenue near the Riverside Drive bridge. As Johnson walked through the field below the parking lot, west of the Boys and Girls Club, she saw three people known to her in the parking lot near the large green dumpsters. Johnson identified them by their street monikers as "Puppet", "Civic" and "Gonzo." Johnson said all three of them are Sureno gang members and there has been an ongoing dispute between "Civic", "Puppet", and "Soldier."

As Johnson passed by the vehicle, they started yelling derogatory gang slurs at her. Johnson immediately called her boyfriend on her cellular telephone to warn him "Puppet" and "Civic" were around and Johnson thought there could be trouble. Johnson showed Sgt. Lawrence her outgoing cellular telephone log; which indicated she placed the call at 1810 hours.

Johnson identified "Puppet" as Juan Carlos Perez, "Civic" as Juan Manuel but did not know his last name, and "Gonzo" as Javier Ceja. "Puppet" was standing at the passenger door of an older gray Pontiac Grand-AM, "Civic" was in the driver's seat, and "Gonzo" was in the back seat. Johnson described "Civic" as a short, thin, Hispanic male with a round bald head.

Johnson believed she was in the park approximately 45 minutes or less when the shooting occurred. Johnson was seated on a picnic table a few feet away from where "Soldier" was sitting. There are a number of picnic tables in the area and they were all spread out among the tables talking in smaller groups.

Johnson saw the suspect approach from the wooded area near the stone bridge, which is located south of where they were all seated. The suspect was wearing all black clothing, a black hooded sweat shirt and something white over his face. The suspect was holding a long barreled gun with both hands about the mid section of his body. Johnson described the weapon as a rifle or shotgun. The suspect began firing into the group and everyone ducked down. The suspect ran back into the wooded area where he came from. Johnson looked up and saw "Soldier" lying back on a bench against the table. Johnson and others ran over to "Soldier." "Corey" and "Mike" lifted "Soldier" up onto the table.

Johnson did not know who shot the victim, but the physical description did match "Civic." Johnson described the shooter as short, thin, bald and having a round head. Johnson did not believe "Puppet" was the shooter because the shooter was younger and thinner than "Puppet." Johnson did not believe "Gonzo" would shoot anyone and described him as a "Pussy."

Property Crimes Investigations Detective Mike Middleton

Johann Xavier Hernandez

Johann told Detective Middleton the following in essence: Johann said they were sitting down, hanging out with friends, when the suspect came out of the forest with a shotgun. Johann and other witnesses were hanging out at the picnic tables near the barbecue in Maxwell Park. Johann was sitting on a bench next to the victim who Johann referred to as "Soldier." "Troy" was standing next to them. The suspect came out of the forest with what appeared to be a shotgun and fired three rounds at them. Everyone started running when the shots were fired. As he was running away Johann looked back and saw that "Soldier" was "down."

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Johann indicated there was just one suspect and that suspect was wearing a white bandana on his face. Johann was not sure who the suspect was. Johann did say one to two weeks ago the victim, Damian Deltasandro, and himself were attacked on Highway 12, near Mary's Pizza. Someone attacked them with a two by four board.

After the suspect came out of the woods and fired three shots at them, they first believed he was firing blanks. Johann was within a few feet of the victim and when the shots were fired he did not think anyone had been hit. Johann and "Troy" began running, and Johann look back and saw the victim, "Just laying there." Johann started yelling for someone to call 911. As soon as the suspect fired the shots he ran back the way he came. They picked up the victim and placed him on top of a nearby picnic table.

Johann indicated the suspect was standing near a bridge, along a path that comes out of the forest Johann believed the suspect was approximately 20-30 feet away when he fired. The suspect did not say anything at the time of the shooting.

Johann said "Civic", "Gonzo", and "Puppet", "always have problems with us. They always try and jump us and shit." Johann said "Puppet" had jumped him before. "Puppet" has pulled a gun on him several times, and at least four times last month. The last time "Puppet" pulled a gun on him was about one week ago, in front of Happy Dog on Highway 12. "Puppet" pulled up in a white rental pickup truck and said something similar to, "Let's get down", and brandished what Johann described as a .38.

Johann believed the shooter was either "Gonzo" or "Civic." Johann described "Puppet" as being short and fat, and the shooter was taller and lean. The suspect had a white bandana over his face, a black hooded sweatshirt, a dark colored hat and jeans.

Johann identified "Puppet" as follows: Johann said "Puppet" is a Sureno." "Puppet's" girlfriend is a girl named "Amber", who works at the Black Bear Diner. "Puppet" usually drives her silver Chrysler 300. Johann did not know "Puppet's" name or address, but believed he had moved to American Canyon. Johann described him as short and fat with a shaved head.

Johann identified "Civic" as Juan Manuel. (Juan Manuel Calderon) Johann said he is 17 or 18 years old, approximately five feet nine inches tall with a skinny build. Johann did not know where "Civic" lived.

Johann believed "Gonzo's" real name is Javier (Unknown last). "Gonzo" is 18 or 19 years old, 5'9" to 5'11" tall with a stocky build. Johann did not know Gonzo's address.

Adan Anthony Hernandez

Adan told Property Crimes Detective Middleton the following in essence: Adan was hanging out with his group of friends on the picnic benches, near the barbecue grill, inside Maxwell Park. Adan was seated on a bench, approximately 10-15 feet from the victim when the shooting occurred. Adan suddenly heard three gun shots, everyone ducked down, then they all began running. Adan never saw the suspect.

When Adan began running, he saw the victim drop down on a bench. Adan was unsure what happened to the victim.

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Some members of the group picked up the victim, and Adan saw he was bleeding from the mouth.

The situation was too much for Adan and he walked away on the bike path to a 7-11 store. Adan eventually got a ride back to the park. When he returned to the park, Adan learned what happened to the victim.

Adan had not had any problems recently with anyone that he could remember. Approximately one year ago, an unknown suspect pulled a gun on his friend, Evan Stope, and himself.

Juan Chavarria

Chavarria told Property Crimes Detective Middleton the following in essence: Chavarria was not present during the shooting. Chavarria was at home when he received a telephone call from "Shane" regarding the victim being shot. Shawn told him "Luis" had just been shot. Chavarria has been friends with the victim for the past two to three years.

Chavarria got a ride from his sister, but due to traffic they could not get into the park. Chavarria's sister parked nearby and Chavarria walked into the park. As Chavarria crossed the foot bridge he was detained by deputies who were present.

Chavarria indicated he is known in the system as a Norteno. Chavarria said there are always problems between the Nortenos and Surenos, but he was not aware of any recent incidents.

Julia Danielle Broderick

Broderick told Property Crimes Detective Middleton the following in essence: Broderick was hanging out with the group of witnesses at the benches near the Boy's and Girl's Club. (inside Maxwell Park) "Troy" "Johann" (Hernandez) and "Soldier" were on a nearby bench. Broderick does not know the victim's true name. Broderick was not really paying attention, but suddenly heard three shots. Everyone began to run and she noticed "Soldier" was laying on the bench bleeding from his head.

Everyone came back to where the victim was lying. "Cory" ran after the shooter but then stopped and came back to the victim. Broderick does not know "Cory's" last name, but described him as the one with the blood all over his jersey. "Cory" and Swanton lifted "Soldier" onto the table.

Broderick was approximately 10 feet away from the victim when the shooting occurred. After the three shots, she saw the suspect running away. Broderick said when she looked at the victim she saw something white. Broderick indicated the suspect was a small guy, approximately 5'9", skinny, wearing a dark blue or black shirt, a black hat, and baggy dark blue pants.

Jessica Ilene McDonagh

Jessica McDonagh told Property Crimes Detective Middleton in essence: McDonagh was hanging out with her friends at approximately 1700 near the park benches. McDonagh had to leave by 1815 hours. McDonagh left on foot with her friend Chelsea Morris. They walked out past the parking lot towards Verano Avenue and Highway 12. McDonagh observed a car driving from the entrance to the parking lot. McDonagh described the vehicle as a small,

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older, brown four door sedan with a faded paint job. McDonagh noticed there were two people seated in the front of the vehicle and three people seated in the rear seat of the vehicle. The only person McDonagh recognized in the vehicle was "Civic". McDonagh knows "Civic" from the past, but only knows his first name is "Juan." "Civic" was seated in the rear driver side seat.

As they walked past the car she noticed all the windows were down. The occupants began "barking" and making noises at both of them. As they neared Highway 12, they saw the vehicle driving slowly towards Verano. McDonagh never heard the shots or saw the suspect.

McDonagh did not recognize anyone else in the vehicle. McDonagh described them as all Hispanic and noticed the driver was bald. McDonagh knew they were all, "For the blue (Surenos)" because she knows "Civic" through mutual acquaintances.

As McDonagh was leaving the park, her friend, Courtney Simmons was arriving. McDonagh believed Simmons saw the car and the car's occupants. McDonagh believed Simmons knew all of the occupants of the car well and recognized all of them.

Courtney Simmons

Courtney Simmons was interviewed by a nearby friend's house at 18821 Park Tree Lane. Simmons told Property Crimes Detective Middleton the following in essence: Simmons and Johnson arrived at the park at approximately 1700 hours. They walked on the foot path from Verano Avenue to the benches. Simmons and Johnson lingered at the park near the benches, with other witnesses, for a short time and then left to go to a nearby market. They walked through Maxwell field to go to the Vineyard Market. They walked back at approximately 1845 hours and noticed Sheriff's patrol cars in the area. When they got back to the area of the benches, they noticed the victim lying on a table. An ambulance and numerous Sheriff's Department patrol cars were arriving.

When Simmons and Jaime (Johnson) first arrived at the park, they saw a silver car with three males in the parking lot of the park. Simmons did not know what kind of vehicle it was, but remembered seeing the word "Grand" on the car. I asked her if she recognized anyone in the car, and Simmons recognized all three occupants.

Simmons saw "Civic" standing next to the open driver's side door of the car. Simmons identified "Civic" as Juan Manuel Calderon, and Simmons was a good friend of Calderon's sister.

Simmons saw "Puppet", who she also knows as Carlos Perez, standing by the front passenger side door. Simmons described Puppet as 5'09" with a chubby build. Simmons noticed his head appeared to be shaved. Simmons did not remember a clothing description.

Simmons saw "Gonzo" in the rear seat of the vehicle. Simmons did not know "Gonzo's" true name.

Simmons said all three of the males were barking like dogs at her and Jaime as they walked past. Simmons observed the car pull down near the parking lot closest to the Boy's and Girl's Club and the occupants of the vehicle watched the group near the benches for a short time before slowly driving away.

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As Detective Middleton was speaking with Simmons, her mother, Donna, answered Simmon's cellular telephone. After the call Donna told us it was Dascha Avila who called. Dascha is Oscar Perez's girlfriend. Oscar is "Puppet's" younger brother. Dascha apparently call to tell Simmons that Oscar told her "Puppet" could not have been involved in the shooting because he had been home.

Simmons was aware "Puppet's" residence was in American Canyon on Kimberly Drive near Highway 29. She did not know the exact street address.

Jaime Johnson

Detective Middleton was told Jamie Johnson was with Courtney Simmons at Maxwell Park. Jaime's parents refused to allow her to be interviewed.

Domestic Violence Sexual Assault Detective Konopa

Cory Hermosillo

Cory Hermosillo was contacted in the rear seat of a patrol car. Detective Konopa noticed Hermosillo had a significant amount of dried blood on his shirt and pants. Hermosillo was handcuffed. Detective Konopa transported Hermosillo in his unmarked vehicle back to the Boys and Girls Club in Maxwell Park. Detective Konopa removed the handcuffs from Hermosillo's wrists. Hermosillo agreed to provide a voluntary interview to Detective Konopa inside the Boys and Girls Club.

Cory Hermosillo told Detective Konopa the following in essence: Hermosillo and a group of friends were "hanging out" at the back entrance of the Boys and Girls Club near the picnic tables.

At approximately 1900 hours Hermosillo and his friends noticed a gray Honda drive into Maxwell Park and stop near the entrance. They recognized the three occupants in the vehicle. They knew them as "Puppet", "Civic", and "Gonzo." Hermosillo knew the occupants as rival Sureno gang members. Hermosillo said the altercation was a "gang thing." After a few minutes the vehicle left the park.

Approximately 10 minutes later, Hermosillo and his friends were still inside the park near the picnic tables. Hermosillo was near the victim. Suddenly Hermosillo heard three quick shots. Hermosillo turned and noticed a subject near the bushes holding a handgun. The subject was wearing a dark baseball hat, white bandana, a dark shirt, and dark pants. The subject was approximately 30-40 feet from the group. Hermosillo immediately recognized the shooter as "Puppet." Hermosillo said he has seen "Puppet" approximately 12-15 times in the past and was able to recognize him.

The suspect then took off running through the trees. Hermosillo ran after him for approximately 30 seconds but lost "Puppet's" trail. Hermosillo returned to the scene and helped place the victim onto the top of the picnic table.

Hermosillo remembered a fight in the past between "Puppet" and the victim. Hermosillo could not provide any further information regarding the past incident.

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Upon further questioning, Hermosillo said he believed the suspect was "Puppet" but believed it could have possibly been "Civic." Hermosillo said the shooter could have been either "Puppet" or "Civic", but he was not sure which one.

Detective Konopa collected Hermosillo's clothing, which included his Atlanta Falcon's Football Jersey, his black shirt and blue jeans. Hermosillo also collected Luis's cellular telephone which Hermosillo had on his person.

Domestic Violence Sexual Assault Detective J. Pedersen

Maria Chavarria

Detective Pedersen contacted witness Maria Chavarria inside the Boys and Girls Club in Maxwell Park. Maria was at home with her family, including her younger brother, Juan, at approximately 1845 hours. Juan came out of his room and asked Maria to drive him to the McDonald's restaurant at the corner of Highway 12 and Verano Avenue. Juan didn't specify why. As Maria drove him to McDonalds Juan jumped out of the car as she slowed for traffic. Maria then stopped to go after Juan on foot. As Maria exited her car and caught up to Juan, they were detained by Sheriff's Deputies who responded to the homicide which just occurred.

Maria told Detective Pedersen that Juan received a phone call before he asked her to drive him to McDonalds. Juan mentioned something about, "one of his hommies" being shot, but did not elaborate.

Sean Phillips

Detective Pedersen then contacted Sean Phillips, who was a witness to the shooting. Phillips told Detective Pedersen the following in essence: Phillips was with his friends, "Johann", "Troy", and the victim. They were seated at the picnic benches/ barbeque area of the park on the east side of the Boys and Girls Club. While they were sitting down talking, a silver or grey car pulled up into the upper parking lot across from them. Phillips identified the driver of the vehicle as "Puppet" and another occupant was "Civic." Phillips did not know their true names. Phillips said the occupants of the vehicle began whistling at them and were trying to start problems. The vehicle then drove away. Phillips added that he did not actually see the occupants of the vehicle, but was told by someone else that "Puppet" and "Civic" were the ones inside the vehicle.

Approximately 30 minutes after the car left, Phillips said a suspect came up behind the group. The suspect approached from the bushes behind the barbeque and fired three shots from a shotgun at "Soldier." Phillips said he was sure it was a shotgun because he heard the distinctive sound of the gun rack between the shots. Phillips began running away after he heard the first shot and did not see who the suspect was. After he started running, he heard someone say "Soldier" was shot. Phillips returned to the picnic benches and discovered "Soldier" had been shot.

Phillips said "Puppet" jumped "Soldier" a few weeks ago. Phillips said "Puppet" has chased him (Phillips) before, attempting to assault him, but was unsuccessful.

Phillips described "Puppet" as a well known in the Sonoma Valley area. "Puppet" was always, "causing problems", with the local teenagers. Phillips said "Puppet" had a reputation for getting younger Surenos to do his dirty work for him.

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Mario Cisneros

Detective Pedersen then contacted Mario Cisneros who told him the following in essence: Mario was present at the picnic benches near the Boys and Girls Club before and after the victim was shot. Cisneros was sitting and talking with the group, including the victim, when a grey car pulled up to the upper lot. Cisneros heard three males in the car whistling at them and yelling "south side." Cisneros identified the males in the car as "Puppet" wearing a white shirt, "Gonzo" and "Civic." Cisneros did not know the subject's true names. "Puppet" was in the driver's seat and "Gonzo" was in the back seat. They parked there for approximately four to five minutes.

Approximately 30 minutes later, a male suspect emerged from the bushes wearing a black hat with a blue bandana over his face. The suspect fired at the victim with what appeared to be a shotgun. Cisneros heard two shots. The suspect then ran back into the bushes towards the creek.

Cisneros knew the victim had, "been jumped", by "Puppet" a few times. Cisneros could not provide any additional information regarding those incidents.

Cajon Early Andres

Detective Pedersen was notified by dispatch that Cajon Andres was a witness to the incident and returned home after the incident. Andres was waiting to be interviewed at his home.

Andres told Detective Pedersen the following in essence: Andres was in Maxwell Park by the picnic benches. While he was there he saw "Puppet", "Civic" and "Gonzo" drive into the upper parking lot of the Boys and Girls Club. Andres knew "Civic's" true name to be Juan Calderon, as they attended the same school.

A short time later the car containing the subjects left and a short male suspect came out of the bushes from the south side of the benches. The suspect fired three shots. Andres described the suspect as having a black hat with a blue or black bandana over his face, blue dickey pants and a "hoody" sweatshirt. The suspect was firing what appeared to be a handgun. Andres described it as possibly a 9mm. The suspect fled towards the creek. Andres ran and alerted a soccer team that was practicing nearby. Andres borrowed a cellular telephone and called 911 to report the shooting. Andres called his mother and asked her to come pick him up from the park.

Andres could not identify the shooter because he could not see his face.

Andres did not know what may have prompted the shooting. Andres added he knew "Puppet" had "beaten up" the victim a few times in the recent past. "Puppet" has a reputation around the Sonoma area for picking on all of the teenage boys in town.

Violent Crimes Investigations Detective Shawn Murphy**Troy McKinnon**

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Troy McKinnon was interviewed by Detective Murphy and told him the following in essence: McKinnon appeared upset and related to Murphy he is a close friend to the victim. McKinnon has known the victim for the past two years.

At approximately 1630 hours, McKinnon and approximately 20 other subjects were hanging out at the picnic table area, located within Maxwell Park. During this time McKinnon was standing next to the victim (Luis Miranda). McKinnon described the table they were standing near as being the far table, located towards the east side of the park. McKinnon was standing on one side of the victim while another friend he identified as "Johan" was standing on the other side of Miranda. McKinnon watched as the suspect ran from the walking trail, located west of the picnic tables, towards them.

McKinnon described the suspect as wearing a black hooded sweatshirt, black pants, and possibly black shoes. The suspect had the hood of the sweatshirt pulled over his head and his face was concealed by a bandana. McKinnon thought the bandana was black, but later in the interview stated it was white. McKinnon was unable to see the suspect's face because it was dark outside.

As the suspect ran from the trail towards them, McKinnon could see the suspect had something in his hands. The suspect was holding the item at waist level and the suspect appeared to be pointing the object at the group. The suspect stopped approximately 15 feet from where he was standing, the suspect began shooting towards the victim. The suspect fired three times in rapid succession. McKinnon believed the suspect was aiming directly at the victim. After shooting, the suspect turned and ran back towards the walking trail.

McKinnon blames Sureno gang members for the attack. McKinnon claimed he and the victim were not involved in gang activity, but admitted he and most of his friends wear red. McKinnon and his friends associate with the Norteno gang. McKinnon stated he would not hang out with Surenos.

Raiisa Sentury Lowe

Lowe told Detective Murphy the following in essence: Lowe was hanging out at Maxwell Park between 1630 and 1700 hours. Lowe identified other subjects hanging out as Johann (Unknown last name), Julie Broderick, Jessica McDunagh, Chelsea Morris, Michael Swanton, Kaswan Andrews, and Tara Martinez. Lowe believed there were possibly more subjects at the park, but could not recall.

At approximately 1700 hours, she watched "Puppet", drive into the parking lot of Maxwell Park. Lowe told me she could see "Civic" inside the vehicle as well as another unknown Hispanic male subject. She described the vehicle as gray or silver car but could not provide the make or model. Lowe believed the vehicle belonged to Puppet.

After the car entered the parking lot, the car drove down into the lower portion of the lot, near the picnic tables. There was some type of confrontation between the occupants of the vehicle but she was unsure what was said during the confrontation.

At approximately 1855 hours, Lowe began saying goodbye to all her friends, who had congregated at the picnic tables. Lowe told everyone she had to leave to go to work. As she was walking away, she saw a male subject standing in bushes near the walking trail. The subject appeared to be wearing all black clothing and had a hood over

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his head. The subject appeared to be moving from one location to another, through waist high weeds. Lowe thought the subject was possibly one of her friends using the bathroom or playing around.

As she continued walking up the hill, she observed the subject emerge from the brush area and ran towards her group of friends. Seconds later, she heard three loud pops. Michael Swanton began yelling at everyone to run and she heard people screaming "Soldier" (the victim) was shot. Lowe ran towards the parking lot, calling 911 from her cellular telephone. Lowe returned to the picnic tables and found several people trying to help the victim.

Lowe has no gang affiliation and hangs out with Norteno and Sureno affiliated subjects. Lowe believes "Puppet" and "Civic" are responsible for the shooting, based on the argument which took place earlier in the evening.

Sgt. Stashyn

Michael Anthony Arriola

Michael Arriola told Sgt. Stashyn the following in essence: Arriola left his job, Oil Changers, located in Sonoma, at approximately 1800 hours. Oil Changers is located approximately one half mile from Maxwell Park. Arriola walked through Maxwell Park and used the restroom at the park which is located approximately 75 yards away from where the victim was shot.

As Arriola left the bathroom, he heard someone call his name. Arriola was unsure of who was calling him because he was wearing a stereo headset. Arriola looked towards the general area of the park benches and recognized several people he knew. Arriola walked over to the park benches. Arriola identified the only person he knew by name as the victim, who he knew as "Soldier."

Arriola exchanged greetings with "Soldier" and then "Soldier" walked over to the benches on the far side of him. As Arriola was sitting on the benches smoking marijuana he suddenly heard three loud bangs. Arriola began to run east towards the tree line and he hid momentarily by a tree. Arriola heard people saying someone was shot. Arriola did not see where the bangs came from and did not see the suspect. Arriola did not know for sure someone was shot until he was detained in a patrol vehicle and heard people walking by talking about the victim being shot.

Arriola believed by the sound of the weapon firing that it was possibly a 9mm pistol and he heard two shots. Arriola was not familiar with "Puppet", "Civic" or "Gonzo" and did not know their full names.

Arriola did say at one point during the interview that he did not want to give out any names, because he didn't want it known he had provided any names. Arriola claimed no gang affiliation.

Arriola said the victim "kept it real" and fought with his hands. Arriola knew this because he noticed the victim would have lumps on his head which he assumed were from fights. Arriola did not know any names of individuals the victim had fought.

Property Crimes Investigations Detective D. Smith

EMT Fire Fighter (Paramedic Intern) John Ayers Medic 303 (Sonoma Valley Fire)

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Ayers told Detective Smith the following in essence: Ayers, Kerri Miller (EMT Fire Fighter), and Rodd Kneeland (Captain /EMT) were dispatched to a shooting victim at Maxwell Park. Upon arrival, the initial life saving efforts were administered to the victim by Miller and Kneeland. While this was occurring, Ayers was in contact with a Trauma Physician at Memorial Hospital base regarding the victim's injuries.

Ayers pronounced the victim dead at approximately 1902 hours after checking for the victim's vital signs. Ayers found obvious signs of death with brain matter showing due to a traumatic head injury as a result of suspected gunshot wounds to the head. He checked for radial, carotid pulses and he checked the victim's pupils, which he said were not reactive to light.

EMT Fire Fighter Kerri Miller Medic 303

Kerri Miller told Detective Smith the following in essence: Upon arrival they discovered the victim lying on a picnic table. There were approximately 20 people in the area of the victim, including a Sheriff's Deputy.

Miller observed a round hole about the size of a quarter in the middle of his forehead. Miller described the wound as being raised and there was suspected brain matter around it. Miller observed several other smaller holes around the victim's face.

Miller placed an E.K.G. monitor on the victim and checked for vital signs. Miller noted the victim did not have a carotid pulse, nor was there a rise or fall of his chest. Miller concurred with Ayers and Kneeland's findings as to the lack of vital signs.

Captain / EMT Rodd Kneeland Medic 303

Capt. Rodd Kneeland told Detective Smith the following in essence: Upon arrival he checked the victim's radio and carotid pulse and they assisted Miller in connecting the EKG monitor to the victim. Capt. Kneeland began chest compressions for three to four minutes while Miller supplied air to the victim. After three to four minutes, he concurred with Ayers and Miller's opinion that the victim showed no signs of life and was dead.

While Capt. Kneeland was performing chest compressions on the victim, he noticed a hematoma in the center of the victim's forehead and observed the victim's right eye was bulging.

Capt. Kneeland remembered 20-25 people standing around approximately seven to ten feet from the victim who was lying on a picnic table.

Captain John Greensblade Engine 3382 (Sonoma Valley Fire)

Capt. John Greensblade told Detective Smith the following in essence: Capt. Greensblade was dispatched at 1848 hours and staged nearby until 1851 hours. They arrived at Maxwell Park at 1854 hours and he assisted medical personnel from Medic 303 by placing the victim on the back board.

Volunteer Fire Fighter Ryan McCracken Engine 3382

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Ryan McCracken told Detective Smith the following in essence: He assisted personnel from Medic 303 by placing the victim on a back board and applying a neck collar.

Engineer Ben Gulson

Engineer Ben Gulson told Detective Smith he did not touch the victim and was standby nearby while other medical personnel attended to the victim.

I responded to the interior of the Boys and Girls Club to interview any remaining witnesses. Upon arrival, I learned all of the witnesses that remained for voluntary interviews had already been interviewed.

Homicide Briefing (Boys & Girls Club)

A homicide briefing was conducted with all of the involved detectives present. During the interview three potential suspects were identified.

Suspect #1 Juan Carlos Perez Garcia aka "Puppet"

Home Address: 117 Kimberly Drive, American Canyon

Suspect #2 Javier Ceja aka "Gonzo"

Home Address: 165 West MacArthur Street, City of Sonoma

Suspect #3 Juan Manuel Calderon aka "Civic"

Home Address: 650 Donald Drive, City of Sonoma.

The suspects were believed to be driving a silver Pontiac Grand Am four door, California license 4CIT172 registered to G & C Auto Body.

Based on information developed from all of the witnesses in this investigation, I contacted VCI Detective Vivian and requested he begin authoring a search warrant to include the three identified suspects, their home residences, the suspect vehicle and the victim's residence, I advised him I would contact him with any additional information.

Property Crimes Detective Randy Williams

Detective Williams was tasked with gathering background information regarding Juan Carlos Perez Garcia aka "Puppet." Detective Williams learned Juan's previous home address was 1085 Solano Avenue, Sonoma. He learned Juan had recently moved to either American Canyon or Napa. Detective Williams learned Juan lives with his girlfriend, Amber Malkassian, who is currently pregnant with Juan's child. Malkassian reportedly works at the Black Bear Diner in Sonoma.

Detective Williams and Detective Smith drove to the Black Bear Diner and learned Malkassian was not working tonight and was not expected back until 10/23/07. Employees at the diner relayed they heard a rumor someone had been shot at Maxwell Park and it was a "gang shooting." The employees were concerned because Malkassian's

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vehicle, a silver Chrysler 300, had been vandalized in the parking lot of the diner in September. The employees said Malkassian told them the vandalism was gang related.

Detective Williams researched the issued and learned the incident was documented in case number S07-0001808. After this vandalism, Malkassian is reported known to be driving a G&C Auto Body loaner vehicle.

Detective Williams also learned Malkassian is employed at the Sonoma Health Care Center at 1250 Broadway, Sonoma.

Amber Malkassian (Juan Perez Garcia aka Puppet's girlfriend)

Detective Williams and Detective Smith drove to the Sonoma Health Care center and contacted Malkassian. Malkassian told them the following in essence: Detective Williams asked Malkassian if she knew why they were there to talk to her. Malkassian indicated she heard there was a shooting at Maxwell Park and they (Sheriff's Department) were looking for "Puppet."

Amber worked the dayshift today, starting work at 0800 hours. Amber was scheduled to work until approximately 2000 hours. Malkassian's boyfriend, Juan Carolos Perez Garcia ("Puppet"), was driving her G&C Auto Body loner vehicle. Malkassian described the loaner vehicle as a gray 1999 Pontiac Grand Am or Grand Prix, 4-door, with G&C Auto Body stickers on it. Amber explained "Puppet" told her he went to Marin County today and called her at approximately 2000 hours, and said he was on the way back to Sonoma.

Malkassian added she was now receiving calls from friends who knew of the shooting at Maxwell Park and "Puppet" was possibly involved. Malkassian called "Puppet" and "Puppet" denied any involvement and again claimed he was driving back from "Marin." "Puppet" told Malkassian he contemplated going to talk to the police. "Puppet" asked her several times if he should go to the police station or call just call to talk to the police.

Malkassian did not know where "Puppet" was currently. "Puppet" was supposed to pick Malkassian up at approximately 2000 hours, she had been unable to reach him. Malkassian was trying to call "Puppet" on his cellular telephone (707-694-0288), but she believes the phone is either turned off or the battery is dead.

Malkassian lives with "Puppet" however they have been having problems and she has been staying with a friend in Sonoma. Malkassian admitted "Puppet" lives somewhere in Vallejo or American Canyon with his mother. Malkassian claimed not to know the street address because they just moved there. Malkassian was unable to provide directions on how to drive to the home either. Malkassian confirmed she is pregnant with "Puppet's" child. Detective Williams explained provided Malkassian with a business card with contact numbers for her to relay to "Puppet." Detective Williams told Malkassian we wanted to talk to "Puppet".

At approximately 2245 hours, Detective Williams received a call from a subject who identified himself as "Puppet." "Puppet" explained he was in Marin today and had no involvement with the shooting. Det. Williams asked "Puppet" if he would come in to talk with us. "Puppet" agreed to meet with investigators at the Sonoma Valley Substation. "Puppet" said he was approximately 20 minutes away and would call when he was close to the substation.

Detectives developed information that "Puppet" lived on Kimberly Drive in American Canyon. Detectives Naugle,

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Murphy, Smith and Williams drove to Kimberly Drive and located the silver 1999 Pontiac Grand Am, California license 4CIT172, parked in front of 117 Kimberly Drive.

At approximately 2245 hours, the aforementioned detectives set up surveillance at the residence. Detective Williams received a telephone call from Malkassian through dispatch. Malkassian told Detective Williams "Puppet" was worried about coming to talk to him. "Puppet" was afraid he would be arrested for something he did not do. Detective Williams explained to Malkassian if he did nothing wrong, now would be the time clear himself. Malkassian said she would pass the message along to "Puppet", however "Puppet" would probably not come in until the morning.

While watching the house, detectives observed a white compact car pull up in front of the residence. A female recognized as Malkassian got out of the passenger seat and went into the house. Once Malkassian was inside the house the white car drove away.

Detectives maintained surveillance and observed a different female exit the house and walk to the neighbor's house. The unidentified female hid in the bushes near the neighbor's bushes.

Moments later, Malkassian exited the house and got into the driver's seat of the silver Pontiac parked in the driveway. Malkassian started the vehicle and drove away. Det. Naugle and Murphy followed the vehicle. They later stopped the vehicle and spoke with Malkassian.

Detective Naugle interviewed Malkassian and she told him the following in essence: Malkassian claimed she drove to American Canyon to get gas and was driving back to Sonoma.

A short time later Malkassian was contacted by Detective Freitas. Malkassian admitted she was dropped off at the house at 117 Kimberly Drive and was there to pick up the silver Pontiac. Malkassian also admitted "Puppet" was inside the residence when she was there.

The silver 99 Pontiac Grand Am was seized as evidence. Deputy Mauro arrived and waited for Joe's Performance Tow to arrive. Deputy Mauro noticed the windows of the vehicle were rolled down and rolled them up to preserve any possible evidence. Detective Freitas requested Deputy Mauro provide Malkassian courtesy transportation to Kaiser Hospital in Santa Rosa as she advised she was not feeling well.

On 10/23/07 at approximately 0230 hours, Performance Towing arrived and loaded the Pontiac onto a flatbed tow truck. Deputy Mauro followed the tow truck to Kaiser Hospital in Santa Rosa where Malkassian was dropped off. Deputy Mauro then followed the tow truck to Performance Tow in Santa Rosa.

Upon arrival at the tow yard the tow truck driver could not back the tow truck into the bay to unload the vehicle due to lack of room in the bay. Deputy Mauro put on latex gloves and backed the vehicle off of the truck and into the storage bay. The tow truck driver then secured the bay in Deputy Mauro's presence.

DVSA Detective Eubanks (Search Warrant

Detective Eubanks authored a search warrant for the following addresses based on information provided to him by

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detectives who were involved in the ongoing homicide investigation: (The warrant requested night service and was signed by the Honorable Superior Court Judge Ballinger.)

1. 117 Kimberly Drive, American Canyon (Juan Perez's reported residence)
2. 650 Donald Drive, Sonoma (Juan Manuel Calderon's reported residence)
3. 165 West McCarthur Street, Sonoma (Javier Ceja's reported residence)
4. The silver Pontiac Grand Am California license, 4CIT172, was also included on the search warrant.
5. Juan Perez's cellular telephone records for cell #707-343-5759 (Metro PCS)

Violent Crimes Investigations Detective Vivian

Detective Vivian authored the three attached Ramey warrants for the following suspects.

1. Juan Manuel Calderon (Age 17)
2. Juan Carlos Perez
3. Javier Ceja

DVSA Detective J. Pedersen Search Warrant 117 Kimberly Dr., American Canyon

On 10/23/07, at approximately 0300 hours, Detective Pedersen, along with other detectives from the Sonoma County Sheriff's Department served the search warrant at 117 Kimberly Drive in American Canyon. The search warrant was served after the residence was secured by the Sonoma County Sheriff's Department Special Weapons and Tactics Team.

Detective Pedersen then sized the following items from the home pursuant to the search warrant.

- "Item SW-2 Nokia cellular telephone recovered from couch in the garage.
- "Item SW-3 Kodak digital camera
- "Item SW-4 Laptop computer, Durabook
- "Item SW-5 Notebook of handwritten gang poems.

Suspect Juan Carlos Perez was also located at this address and arrested on the Ramey warrant for a violation of 187 P.C. Murder.

V.C.I. Detective Murphy Search Warrant 165 W. McCarthur St., Sonoma

On 10/23/07, at approximately 0508 hours, Detective Murphy, along with other deputies from the Sonoma County Sheriff's Department, served the search warrant at 165 W. McCarthur Street, Sonoma. The search warrant was served after the residence was secured by the Sonoma County Sheriff's Department Special Weapons and Tactics Team.

Detective Murphy sized the following items from the home pursuant to the search warrant.

- "SM-1 Addidas shoes, size 9. blue laces

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"SM-2 White Nike shoes, size 9
"SM-3 Blue jeans, Delf, size 9
"SM-4 Black hooded sweatshirt - Los Angeles
"SM-5 Black T-Shirt- Low Rider
"SM-6 Grey Ben Davis pants
"SM-7 Miscellaneous photographs
"Two belts, one gray -13 buckle, second blue
"Motorola cellular telephone, V3232i, Metro PCS

Suspect Javier Ceja was also located at this address and arrested on the Ramey warrant for a violation of 187 P.C. Murder.

Property Crimes Detective Middleton Search Warrant 650 Davis Street, Sonoma

On 10/23/07, at 0630 hours, Detective Middleton, along with other detectives from the Sonoma County Sheriff's Department served a search warrant at 650 Davis Street, Sonoma. The search warrant was served after the residence was secured by the Sonoma County Sheriff's Department Special Weapons and Tactics Team.

Detective Middleton sized the following items from the home pursuant to the search warrant.

"D1 Indicia in the name of Juan Manuel Calderon
"D2 Three pair of white Adidas tennis shoes
"D3 Metro PCS cellular telephone UT Starcom (Take from Calderon's person)

Suspect Juan Calderon was also located at this address and arrested on the Ramey warrant for a violation of 187 P.C. Murder.

Juan Carlos Perez aka "Puppet"

On 10/23/07, at approximately 0430 hours, I interviewed Juan Perez at the Sonoma County Sheriff's Department main office.

I read Perez his Miranda rights from a Sonoma County Sheriff's Department Miranda rights advisement form. When I asked Perez if he understood the rights I just read to him he said, "Yeah, but, what, like why did I get arrested for, you know?"

I explained to Perez that was what I wanted to talk to him about. I explained I needed to go over his rights before I could talk with him. I asked Perez if he understood his rights again. Perez said, "Yeah." I asked Perez if he wanted to talk to me having his rights in mind. Perez said, "What do you mean." I asked Perez, "Do you want to talk to me about what's going on right now?" Perez said, "That's what I'm saying, like, ah, whats, ah, I wanna know what's going on, you know?"

I said, "Okay. So, I'm gonna take that as a yes, that you want to talk to me, okay?" So, you want to know what's

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going on? Okay?" Perez said, "Yeah."

I explained to Perez my goal in asking him questions was to find the truth. I told Perez that is all I wanted to know. I explained I was not worried about drugs or little things. I explained my job was to investigate major crimes such as robbery and homicide. I asked Perez why he thought I was talking to him. Perez said, "That's why I came. to see what's up."

I asked Perez how he felt about talking to me know. Perez said, "Feel I could talk, you know?" I asked Perez to tell me in his own words what he did in the last 24 hours.

Perez said he woke up at around 0600-0700 and went to go pick up his ex-girlfriend, his future baby's mother, Amber. Perez then dropped Amber off. Perez went to his cousin's house. Perez ate with his Aunt and slept there until he woke up at approximately 1200 hours. Perez started driving around and considered looking for a job, but did not. Around 1300 hours Perez was cruising around in Amber's rental car. Perez didn't see anything and returned to his Aunt's house. Perez stayed at his Aunt's house until approximately 1600-1700 hours. Perez then drove to McDonalds in Amber's rental vehicle. After McDonalds Perez picked up his girlfriend (Argelia Chavez) and drove to Marin County. Perez believes he left at approximately 1800 or 1830 hours. He was in Marin County over by San Rafael. At approximately 1900 to 1930 hours Perez received a telephone call from one of his friends. The person told Perez that people were looking for him.

Perez then claimed his street moniker "Puppet" was actually his brother's moniker. Perez then called Malkassian to find out what was going on. After speaking with Malkassian Perez called another one of his friends and learned there were helicopters flying around by McDonalds.

After speaking with this friend, Perez decided to try Amber again. But Perez's telephone battery died and he was unable to call. Perez then drove to Vallejo and called the Sheriff's Department. Perez talked to a Detective but was scared and claimed one of his friends was physically abused in some way.

I then asked Perez if anyone had mistreated him. Perez said, "Well, they did kinda but I ain't trippin though." I asked Perez if that was when he was arrested. Perez said it was.

I asked Perez what kind of car he was driving. Perez told me it was a gray Pontiac four door which he picked up in Agua Caliente. Perez said the car was actually a loaner car provided by G&C Auto body in Santa Rosa. The rental car was provided to Malkassian because her car was being repaired.

Perez said he picked the car up at 0700-0800 hours and then dropped Amber off. He then drove to his Aunt's house. Perez said his Aunt lived on West 5th Street. Perez stayed at his Aunt's house until approximately 1200 hours, when he woke up. Perez then got in the rental car and , "cruising around." Perez couldn't find anything interesting going on, so he returned to his Aunt's house.

Perez left at 1700-1800 hours to drive to McDonalds near Maxwell Park to get something to eat. Perez said he was with a different girl than Amber (Angelica Chavez). Perez then drove to San Rafael with Chavez. Perez said he was in San Rafael at 1825-1830 hours. Perez said he was just "Crusin around with Chavez." Perez said they stayed in San Rafael until 1930 or 1940 hours.

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Perez received a telephone call from a private caller. The caller threatened Perez and Perez ended up hanging up on him.

Then one of Perez's friends called him and told him there were helicopters and detectives in the area of Maxwell Park. The friend also told Perez they were looking for him. Perez told the friend he wanted to clear his name. I later asked Perez who this friend was and he told me it was "Manuel". Perez believed "Manuel" was approximately 16 years old.

Perez started driving towards Vallejo and was trying to call Malkassian on the phone to find out what was going on. Perez was able to talk to Malkassian. He believed she was possibly at her work at that time. Malkassian told Perez two detectives came to talk to her and they were looking for Perez.

When I asked Perez if there was anyone he could eliminate as a suspect in the homicide, he told me "Juan." Perez said "Juan" told him he was going to go to Santa Rosa. Perez went on to say that "Juan" would not do it because, "He doesn't have no balls to do it, you know?" Perez said Juan is still young.

Perez talked about Malkassian coming to his house at approximately 0100 hours on 10/23/07. Malkassian and Chavez were involved in a fight over Perez.

Perez claimed he associated with both Surrenos and Nortenos. Perez claimed he dropped out of VSL. (Sureno)

Perez and I talked about his visible tattoos. I noticed a 13 on his hand. Perez told me he was going to try and get that tattoo removed from his hand. Perez described another tattoo which said, "Life is Precious." Perez described another tattoo which read, "Crazy Life." Perez said he obtained many of the tattoos when he was a teenager. Perez talked about "VSL" initialed on his shoulder and two clowns. Perez pointed to a tattoo he described as, "A Sureno."

I asked Perez what happened to Malkassian's silver Chrysler 300 Sedan. Perez told me it was shot with a shotgun and has been in the shop for the last month and a half. Perez told me a "white guy" shot the vehicle. Perez continued to ramble on about various vandalisms which occurred to Malkassian's vehicle.

Perez talked about Malkassian being pregnant with his first child. According to Perez Malkassian was seven months pregnant.

I asked Perez if at anytime he was seen with Juan Manuel (Calderon aka "Civic") Perez told me he saw Juan at McDonalds with Juan's girl.

I asked Perez if he was with "Gonzo" aka Javier Ceja. Perez denied he was with Ceja and claimed he was looking for Ceja because Ceja owed him money.

Perez told me that himself, Javier, and Manuel "we always kick it together." Perez claimed four months ago they would, "always kick it together."

Perez then invoked his right to council and I immediately discontinued my questioning.

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Summary of Javier Ceja's "aka Gonzo" Interview for Pre-Lim Purposes only.
(Full Report to Follow)

On 10/23/07, at approximately 1054 hours, I conducted an interview with Javier Ceja in an interview room at the Sonoma County Sheriff's Department. I read Ceja his Miranda rights from a Sonoma County Sheriff's Department Miranda rights advisement form.

I asked Ceja if he understood each right individually. Ceja said yes to each right.

Ceja said he used to have "problems" with the "guy" who was shot. Ceja said the fights were primarily a gang thing. Ceja claims blue and the victim claims red.

Ceja and I walked through his timeline of all the things he did on 10/22/07 from the time he got up until the time of this incident.

I showed Ceja a copy of the arrest warrant for him. I had Ceja read the warrant and told him I wanted him to tell me the truth.

Ceja told me the following in essence during the course of my interview with him:

On 10/22/07, at approximately 1730-1800 hours, Ceja, Perez, Calderon, and Angelica Chavez were all in the silver Pontiac Grand Am. Ceja and Chavez were in the back seat, Perez was in the passenger seat, Calderon was driving.

They picked up food from McDonalds and drove into Maxwell Park. They parked in a parking space and ate the food they purchased. When they decided to leave they pulled into a circular traffic circle near where the picnic tables are where the victim was shot. There were whistles and yelling traded back and forth from the occupants of the car and to the people sitting at the picnic benches. Perez was whistling the "Sureno wistle." The group of people at the benches began yelling, "Shaooo" (Derogatory term for Surenos). Approximately ten people started "Rushing towards the car", from the group sitting at the benches. Perez pulled away quickly. Perez said, "Fuck this, we're gonna get them today."

Calderon drove to a nearby home and Perez got out of the vehicle. Calderon backed the vehicle up into the driveway near the garage. (Later determined to be 145 5th Street West, Sonoma) Perez entered the home and exited a short time later. When Perez exited he came out the side door of the garage and walked to what Ceja believed was a Ford Mustang. Ceja believed Perez took the weapon out of the Mustang's trunk. When Perez returned he was carrying something wrapped up in a sweatshirt. Ceja believed the object was a shotgun. Perez put the item in the trunk.

Perez then said, "Lets go back to the park." Perez switched with Calderon so Perez was now driving the vehicle. Calderon was now the front seat passenger. Perez drove them back to a parking lot off of Verano Avenue, south of the entrance to Maxwell Park.

After parking Ceja remained in the car. Perez and Calderon got out of the vehicle. Ceja was able to see the shotgun and believed it was a short semi-automatic shotgun. Ceja was sitting in the back seat looking through the back

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window. Ceja could see through the bottom portion of the window, under the trunk lid.

Calderon and Perez had a conversation and Perez asked Calderon if he was going to do it. Calderon told Perez he wanted to do it. Perez showed Calderon how to manipulate the safety and explained how the weapon functioned. It took Perez approximately 5-10 minutes to explain how the shotgun functioned to Calderon. Ceja watched as Perez loaded the shotgun with three shotgun shells. Calderon then pulled back the bolt to put a round into the chamber. Perez told Calderon, "If you're gonna do it make sure you hit someone."

Prior to Calderon leaving Perez tells Calderon to throw the shotgun away after he uses it.

Calderon hid the shotgun in his sweatshirt, placed a glove on his right hand and pulled his hood up. Calderon had to walk across Verano Avenue, cross over a bridge, and then disappeared on a path leading to Maxwell Park.

Perez returned to the vehicle and then started driving around Maxwell Park. Perez, Calderon, and Chavez heard three shots because Perez paused for approximately two minutes listening for the shots. When he heard the shots Perez said, "He did it."

Perez and Calderon called each other a number of times after they heard the shots. The calls were made on their cellular telephones. Calderon called Ceja's cellular phone, trying to reach Calderon, when he could not reach Perez on his cellular phone.

Search Warrant 19014 Riverside Drive (Shotgun/Sweatshirt Located)

On 10/23/07, at approximately 1700 Hours, Detective Sgt. O'Leary interviewed Juan Calderon and obtained a public safety statement regarding the location of the shotgun used in the incident. Calderon provided a detailed description of the area in which he left the shotgun.

I contacted Detective Vernon, via cellular telephone, and Detective Vernon located the address of 19014 Riverside Drive, Sonoma. I requested Detective Vernon secure the location until a search warrant could be obtained.

On 10/23/07, at approximately 1818 hours, the search warrant Detective Vivian authored was signed by Honorable Superior Court Judge Ballinger. Upon a search of the grounds outside the residence a Remington 11-48 16 gauge semi-automatic shotgun was located in heavy foliage. A dark colored sweatshirt was also located and seized from the same general area.

Search Warrant 145 5th Street West, Sonoma

On 10/24/07, at approximately 1100 Hours, myself and Detective Freitas interviewed suspect Juan Calderon regarding this case. During the interview Calderon gave us the following information: On 10/22/07, the day of the homicide, Juan Perez (Puppet), Angelia Chavez, Javier Ceja (Gonzo), and Juan Calderon (Civic) drove to 145 5th Street West, Sonoma. While at this residence Perez obtained a shotgun from Noe Arias.

Based on this information a search warrant was authored by Detective Vivian. Based on the fact weapons were stored and then retrieved from this residence the Sonoma County Sheriff's Department S.W.A.T. team was

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requested to serve the search warrant.

On 10/24/07, at approximately 2300 hours, the SCSD SWAT team secured the home and the residence was searched. Two additional firearms were located.

See Detective Vivian's report for additional information.

On 11/26/07, at approximately 1830 hours, I received a telephone call from Deputy District Attorney Bob Waner. Waner advised me a one of the defendant's defense council was asserting County Parks was destroying possible evidence on the park benches in Maxwell Park where the victim was murdered. Waner requested I take some investigative steps to see what if any evidence was still present and what had already been done to the benches.

On 11/27/07, at approximately 0930 hours, I made contact with Carol Presho of County Parks. Presho advised me she could tell me what occurred to the benches. Presho advised me the benches had been cleaned of numerous writings and carvings after the homicide. She advised me the cleaning was done periodically, during the normal course of business, as they do not want to leave gang graffiti.

On 11/27/07, at approximately 1030 hours, I contacted D.D.A. Waner and advised him of what I learned. Based on the information I gave him, D.D.A. Waner advised me to tell Presho to not do anything different as it did not appear the benches contained any evidentiary value.

On 11/27/07, at approximately 1045 hours, I contacted Presho and advised her nothing special needed to be done on the picnic benches.

On 11/28/07, at approximately 1925 hours, I contacted Sgt. Stashyn via telephone. I requested a Deputy respond to Maxwell Park and take pictures of the benches. Sgt. Stashyn advised me Deputy Provost would respond to take pictures of the picnic tables and book the pictures into evidence.

Argelia Chavez

On 10/24/07, at approximately 2300 hours, I interviewed Chavez at the Sonoma County Sheriff's Department. Chavez was read her Miranda rights and agreed to waive them and speak to me.

Chavez admitted being in the Pontiac Grand Am with Perez, Ceja, and Calderon on 10/22/07. Chavez described the verbal altercation before the homicide between the occupants of her car and a group of people standing near the benches inside Maxwell Park. Chavez watched Calderon get dropped off just prior to the shooting. Calderon was picked up after the shooting happened.

Note: This report is not a complete overview of this case. Due to time constraints this report is for preliminary hearing purposes only.

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